

APPENDIX F – FI: GOVERNMENT-WIDE DEBARMENT AND SUSPENSION CERTIFICATION

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS (NON-PROCUREMENT)

The Primary Participant (potential contractor for a major third party contract) certifies to the best of its knowledge and belief, that it, and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State or local department or agency.
2. Have not within a three-year period preceding this bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this bid had one or more public transactions (Federal, State or local) terminated for cause of default.

If the Primary Participant (potential contractor for a major third party contract) is unable to certify to any of the statements in this certification with respect to it or its principals, the Offeror shall attach an explanation to this certification).

The primary participant (potential contractor for a major third party contract) certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. sections 3801 et seq. Are applicable thereto.

Primary Participant: _____
Signature and Title of Authorized Official

The undersigned chief legal counsel for the _____ (Offeror)

Hereby certifies that the _____ has authority under State and local law to comply with _____ (Authorized Official) the subject assurances and that the certification above has been legally made.

Signature of Applicant's Attorney: _____

Date: _____

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"INSTRUCTIONS FOR CERTIFICATION"

Primary Covered Transactions

1. By signing and submitting this Proposal the prospective participant is providing the certification on the preceding page in accordance with 49 CFR Part 29.
2. The inability of a person to provide the certification will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of this prospective primary participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.
3. The certification is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this agreement.
6. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction", without modification, in all lower tier covered transactions and in all solicitations for lowered tier covered transactions.
7. Except for transactions authorized under paragraph (5) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS FOR LOWER TIER PARTICIPANT

The Offeror, as the Primary Participant, hereby certifies that the attached Lower Tier Participant Certification Regarding Debarment, Suspension and Other Responsibility Matters, as noted on the two following pages, shall be duly executed in accordance with the provisions of Executive Order 12549, as implemented by 49 CFR Part 29, and shall remain on file with the Primary Participant in accordance with the Contract Provisions as if stated herein.

Primary Participant: _____
Signature

Date: _____